



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: December 21, 2015

Reference Name	Street Closing – A request to close 732.25 linear feet of Woodlawn Drive	Jurisdiction	City
Request	To permanently close 732.25 linear feet of public right-of-way		
Applicant	Coulter Jewell Thames	Submittal Date	May 26, 2015
Location	North of West Club Boulevard, east of North Duke Street		
Recommendation	Approve permanent closing of the designated portion of public right-of-way.		

A. Summary

Coulter Jewell Thames, PA has submitted a request to close 732.25 linear feet of Woodlawn Drive. This portion of right-of-way is open and is bordered by property owned by Judy Hilliard and Phyllis Ihrie (Attachment 1, 2). If the request is approved, the right-of-way will be recombined with the adjacent properties (Attachment 4). The application for this request (Attachment 3) lists the street name as 'Sally Street' based upon previous plats. Upon research after the initial submittal, City staff discovered that Sally Street had been renamed, likely between 1935-1945, so as to extend the Woodlawn Drive name to this portion of right of way.

The area adjacent to this right-of-way is bordered by several parcels of land all owned by the same set of property owners. One parcel contains a single family residence. If the request is approved, these properties will be combined into a single lot (Attachment 4). The site is proposed for residential redevelopment as part of 'Rose Walk' (Attachment 5, Case Z1500020). The Rose Walk case was heard at the November 10, 2015 Planning Commission Meeting and was recommended for approval by a vote of 11-0. Staff expects the rezoning request to be heard by Council in early 2016.

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Urban-5 (RU-5) and Residential Urban-5(2) (RU-5(2)) and is located in the Urban Tier. The subject site is generally located north of West Club Boulevard and east of North Duke Street.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Vacant	RU-5	None
South	Residential	RU-5(2)	None
East	Residential	RU-5 & RU-5(2)	None
West	Vacant	RU-5 & RU-5(2)	None

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a

Service Agency Comments		
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	No impact	n/a
PSNC	No impact	n/a
Frontier	No impact	n/a
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned RU-5 and RU-5(2) and is located in the Urban Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties and the expectation is that the surrounding area will be developed for residential use (Attachment 5). Staff finds this portion of Woodlawn Drive to be generally nugatory to the public at-large and recommends the approval of the street closing request.

G. Recommendation

Approve request to permanently close 732.25 linear feet of Woodlawn Drive.

H. Staff Contact

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I. Attachments

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1500005 – Street Closing Plat Reduction
5. Case Z1500020 Development Plan Reduction
6. Street Closing Order